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Rules and Articles

FOR THE BETTER
GOVERNMENT
OF
ALL HIS MAJESTY'S
FORCES,

From the 24th Day of MARCH, 1791.

Published by His MAJESTY's Command.

L O N D O N :

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GEORGE R.

RULES AND ARTICLES

*For the better Government of all
Our Forces.*

SECTION I.

Divine Worship.

ALL Officers and Soldiers, not having just Impediment, shall diligently frequent Divine Service and Sermon, in the Places appointed for the assembling of the Regiment, Troop, or Company, to which they belong; such as wilfully absent themselves, or, being present, behave indecently or irreverently, shall, if

ART. I.

Divine Service
and Sermon to
be frequented.

The Penalty
of absenting
from Divine
Service, and
of irreverent
Behaviour;

Com-

1. If Commis-
sioned Officers;

2. If Non-
commissioned
Officers, or
Soldiers.

How the For-
feiture is to
be applied.

ART. II.

The Penalty
of Swearing
or Curfing.

ART. III.

The Penalty
of speaking
against any
Article of the
Christian
Faith.

Commissioned Officers, be brought before a Court-martial, there to be publicly and severely reprimanded by the President; if Non-commissioned Officers, or Soldiers, every Person so offending shall, for his First Offence, forfeit Twelvepence, to be deducted out of his next Pay; for the Second Offence, he shall not only forfeit Twelvepence, but be laid in Irons for Twelve Hours; and for every like Offence, shall suffer and pay in like Manner: Which Money, so forfeited, shall be applied to the Use of the sick Soldiers of the Troop or Company to which the Offender belongs.

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall use any unlawful Oath or Execration, shall incur the Penalties expressed in the First Article.

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall presume to speak against any known Article of the Christian Faith, shall be delivered over to the

the Civil Magistrate, to be proceeded against according to Law.

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall profane any Place dedicated to Divine Worship, or shall offer Violence to a Chaplain of the Army, or to any other Minister of God's Word, shall be liable to such Punishment as by a General Court-martial shall be awarded.

ART. IV.

The Penalty of profaning Churches, or offering Violence to Chaplains or Ministers.

No Chaplain, who is commissioned to a Regiment, Company, Troop, or Garrison, shall absent himself from the said Regiment, Company, Troop, or Garrison, (excepting in case of Sickness, or Leave of Absence), upon Pain of being brought to a Court-martial, and punished as their Judgement, and the Circumstances of his Offence, may require.

ART. V.

Penalty on Chaplains absenting from the Regiment.

Whatsoever Chaplain to a Regiment, Troop, or Garrison, shall be guilty of Drunkenness, or of other scandalous or vicious Behaviour, derogating from the Sacred Character with which he is invested, shall,

ART. VI.

Penalty on Chaplains guilty of Drunkenness, or other vicious Behaviour.

shall, upon due Proof before a Court-martial, be discharged from his Office.

S E C T. II.

Mutiny.

ART. I.

The Penalty
of speaking
traiterous or
disrespectful
Words against
the King, or
any of the
Royal Family.

WHatsoever Officer, Non-commissioned Officer, or Soldier, shall presume to use traiterous or disrespectful Words against Our Royal Person, or any of Our Royal Family, if a Commissioned Officer, shall, upon Conviction thereof before a General Court-martial, be cashiered; if a Non-commissioned Officer or Soldier, he shall suffer such Punishment as by the Sentence of a General or Regimental Court-martial shall be awarded.

ART. II.

The Penalty
of disrespect-
ful Behaviour
to the General
or Command-
er in Chief.

Any Officer, Non-commissioned Officer, or Soldier, who shall behave himself with Contempt or Disrespect towards the General, or other Commander in Chief of Our Forces,

Forces, or shall speak Words tending to his Hurt or Dishonour, shall be punished according to the Nature of his Offence, by the Judgment of a General Court-martial.

Any Officer, Non-commissioned Officer, or Soldier, who shall begin, excite, cause, or join in, any Mutiny or Sedition, in the Regiment, Troop, or Company, to which he belongs, or in any other Regiment, Troop, or Company, either of Our Land or Marine Forces, or in any Party, Post, Detachment, or Guard, on any Pretence whatsoever, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. III.

The Penalty
of Mutiny;

Any Officer, Non-commissioned Officer, or Soldier, who, being present at any Mutiny or Sedition, shall not use his utmost Endeavour to suppress the same, or coming to the Knowledge of any Mutiny, or intended Mutiny, shall not without Delay give Information thereof to his Commanding Officer,

ART. IV.

and of not
suppressing, or
the concealing
of Mutiny.

ARTICLES of WAR.

Officer, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. V.

The Penalty of striking or drawing any Weapon against a superior Officer; or disobeying Orders.

Any Officer, Non-commissioned Officer, or Soldier, who shall strike his superior Officer, or shall draw, or offer to draw, or lift up any Weapon, or offer any Violence against him, being in the Execution of his Office, on any Pretence whatsoever, or shall disobey any lawful Command of his superior Officer, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

S E C T. III.

Of Inlisting Soldiers.

ART. I.

Non-commissioned Officers and Soldiers, at their Inlisting, to have the Articles against Mutiny and Desertion read to them;

EVERY Non-commissioned Officer and Soldier, who shall be inlisted in Our Service, shall, at the Time of Inlisting, or within Four Days afterwards, have the Second and Sixth Sections of these Articles, which respect Mutiny and

Desertion, read to him, and shall, by the Officer who inlisted him, or by the Commanding Officer of the Troop or Company into which he was inlisted, be taken, within Four Days, but not sooner than Twenty-four Hours after such Inlisting, before the next Justice of the Peace, or Chief Magistrate of any City or Town Corporate, (not being an Officer of the Army), or in Foreign Parts, where Recourse cannot be had to the Civil Magistrate, before the Judge Advocate, and, in his Presence, take the following Oath:

I SWEAR to be true to our Sovereign Lord King GEORGE, and to serve him honestly and faithfully, in Defence of His Person, Crown, and Dignity, against all His Enemies or Opposers whatsoever: And to observe and obey His Majesty's Orders, and the Orders of the Generals and Officers set over me by His Majesty.

Which Justice or Magistrate is to give the Officer a Certificate, signifying, that the Man inlisted did take

and to be brought before the next Justice,

or, in Foreign Parts, before the Judge Advocate.

The Oath of Fidelity.

The Justice to give a Certificate thereof.

take the said Oath, and that the Second and Sixth Sections of the Articles of War were read to him, as prescribed by the Act of Parliament for punishing Mutiny and Desertion.

ART. II.

No Discharge
to be allowed
unless signed
by a Field
Officer of the
Regiment,
&c.

Non-commissioned Officers and Soldiers, having been duly inlisted, and sworn, shall not be dismissed Our Service without a Discharge in Writing signed by a Field Officer of the Corps to which they belong; or if no Field Officer be with the Corps, by the Commanding Officer thereof; or in respect to Regiments serving abroad, by the Adjutant General of Our Forces, upon the Report either of the Inspector General of the Recruiting Service, or of the Commandant of Our Forces in *Chatham* Barracks.

S E C T. IV.

Musters.

ART. I.

Musters to be
taken Twice
a Year, &c.

MUSTERS shall be taken of every Regiment, Troop, or Company in Our Service, Twice at

ARTICLES of WAR.

11

at the least in every Year, at such Times as shall have been or may be appointed; and all Commanding Officers, and others concerned therein, are hereby required to give the utmost Care and Attention to the making up of the Muster Rolls with strict Exactness and Accuracy, as they shall be answerable to Us for their Neglect.

Every Officer commanding a Regiment, Troop, or Company, shall, upon due Notice given to him by the Commissary of the Musters, or from One of his Deputies, assemble the Regiment, Troop, or Company, under his Command, in the next convenient Place for their being mustered.

ART. II.

What an Officer must do in order to the Muster.

At every Muster, the Commanding Officer of every Regiment, Troop, or Company there present, shall certify on the Back of the Muster Roll the Reasons and Time of Absence of such Commissioned Officers, Non-commissioned

ART. III.

Commanding Officer to certify on the Back of the Muster Roll the Reasons and Time of Absence of Non-commissioned Officers, etc.

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sioned Officers, and Private Soldiers (and Horses) as shall not appear; which Reasons and Time of Absence shall be inserted in the Muster Rolls opposite to the Names of the respective absent Officers and Soldiers.

Muster Rolls
to be examined
by the
Regimental
Book, &c.

The Muster Rolls shall likewise, when made out, be examined, compared with, and corrected according to the Regimental Book, by the Commanding Officer, Paymaster, and Adjutant, of each Corps respectively; and such Examination, Comparison, and Correction, shall be certified by them on the Back thereof. The Commissary shall personally assist at the said Examination and Comparison, and his Affidavit thereof shall be subjoined to the Certificate of the Commanding Officer, Paymaster, and Adjutant.

ART. IV.

Form of Certificate and Affidavit.

The Certificates and Affidavits are to be in Form as follows; *vide licet*:

C E R-

CERTIFICATE to be given by Commanding Officer, Paymaster and Adjutant, and to be annexed to the Muster Rolls, in lieu of the several Certificates now used.

WE do hereby certify, that the Commissioned, Non-commissioned Officers, and Private Men, together with those, which are since become Non-effective, of this Regiment, were Effective for the whole or intermediate Time, during this Muster, as set down against their respective Names within mentioned; and all those that are absent (except the Respited) are Effective, and have the true Reasons of such Absence assigned against their Names on the Face of this Roll.

We do likewise certify, that this Muster Roll hath been diligently examined, compared with, and corrected according to the Regimental Book; and that the Attestations of all the Recruits of the Period have been produced by us to the Commissary.

ARTICLES OF WAR.

We do further certify, that all the Non-commissioned Officers and Privates, specified in this Roll, have been duly and legally attested; that no Children or Persons under a proper Age for Enlistment are borne thereon; and that, in all Respects, the Orders, Provisions, and Restrictions contained in the King's Regulations, the Articles of War, and the Mutiny Act respecting Musters, have been, and are herein fully and faithfully observed.

AFFIDAVIT to be made by the Commissary, and annexed to the Muster Rolls, in lieu of the Affidavit and Certificate as now given.

I Do swear that I saw, at the Time of making or taking the within Muster, such Commissioned, Non-commissioned Officers, and Private Men, as are borne (and not respited) upon this Roll, excepting those for whom a signed Certificate is endorsed thereon.

I like-

I likewise swear, that I assisted in examining and comparing this Muster Roll with the Regimental Book; that I have seen and examined the Attestations of all the Recruits of the Period; and that I find them compleat, and believe them to be just and correct.

When any Attestations may happen to be wanting, the Commanding Officer, Paymaster and Adjutant shall insert in their Certificate, and the Commissary in his Affidavit, after the Words "Attestations of all the Recruits of the Period," these Words, "except such as are under-mentioned."

The Commanding Officer, Paymaster and Adjutant shall also certify the Causes of such Attestations not being produced.

The Commissary also in his Affidavit, after the Words "just and correct," shall add these, "The Number of Recruits for whom Attestations have not been produced is , each of whose

L 3

"Names

ART. V.

When Attestations are wanting, the Commanding Officer, &c. to insert in the Certificate the Words "except, &c." and to certify the Causes of such Attestations not being produced;

and the Commissary to insert in his Affidavit the Words, "The Number of Recruits," &c.

“ Names is marked on the Roll
 “ thus “ x ”, and the Dates set
 “ against them are exactly copied
 “ from the Regimental Book.”

and the Per-
 son who made
 the Entry to
 declare upon
 Oath whether
 the Dates of
 the Recruits
 have been
 faithfully co-
 pied, *etc.*

And the Person by whom the Entry shall have been made, shall declare upon Oath, whether the Dates of such Recruits have been faithfully copied from their respective Attestations, or from what other Authority they have been taken. This Affidavit is likewise to be inserted in each of the Rolls, with the Signature of the Person, and also of the Magistrate.

ART. VI.

If the Person who made the Entry be dead, removed, or absent, a Certificate from the Commanding Officer, *etc.* may be accepted.

If the Person who made the Entry be dead, removed, or otherwise unavoidably absent, a Certificate to the same Effect, under the Signature of the Commanding Officer, Paymaster and Adjutant, may in that Case be accepted, being inserted on the Rolls, as prescribed above with respect to the Affidavit.

ART. VII.

If the Date of Attestation cannot be ascertained, the

If in any Instance the Date of attesting a Recruit cannot be positively ascertained, either from a
 Defect

Defect in the Attestation, or from any other Cause, the Date of joining is to be given and substituted on the Roll in lieu thereof.

Date of joining is to be substituted on the Roll.

The Docket of the Muster Roll shall be signed, not only by the Commissary, and the Mayor, or other Civil Officer (if attending the Muster), but also by the Commanding Officer, Paymaster, and Adjutant.

ART. VIII.

The Docket of the Muster Roll, &c.

Muster Rolls, if taken at, or beyond, the Distance of Ten Miles from *London*, are to be closed within Twenty-four Hours after the Muster shall have been made, and to be transmitted to the Office of Our Commissary General by the Post, (or other safe Conveyance), within Seven Days after they shall have been closed; on Failure whereof, the Commissary so offending shall be discharged from Our Service.

ART. IX.

Muster Rolls, taken Ten Miles from *London*, are to be closed within 24 Hours, &c.

Every Officer who shall be convicted before a General Court-martial of having signed a false Certificate, relating to the Absence

ART. X.

The Penalty of signing false Certificates.

of either Officer, Non-commissioned Officer, or private Soldier, shall be cashiered.

ART. XI.

The Penalty
of making
false Musters,
or signing false
Muster-rolls.

Every Officer who shall knowingly make a false Muster of Man or Horse, and every Officer and Commissary who shall willingly sign, direct or allow the signing of the Muster-rolls, wherein such false Muster is contained, shall, upon Proof made thereof by Two Witnesses before a General Court-martial, be cashiered, and suffer such other Penalty as he is liable to by the Act for punishing Mutiny and Desertion.

ART. XII.

Penalty on the
Commissary
taking Money
on a Muster,
or on signing
the Muster-
roll.

Any Commissary who shall be convicted before a General Court-martial of having taken Money by way of Gratification on the mustering any Regiment, Troop, or Company, or on the signing the Muster-rolls, shall be displaced from his Office, and suffer such other Penalty as he is liable to by the said Act.

ART. XIII.

Penalty of
mustering any

Any Officer who shall presume to muster any Person as a Soldier,
who

who is at other Times accustomed to wear a Livery, or who does not actually do his Duty as a Soldier, shall be deemed guilty of having made a false Muster, and shall suffer accordingly.

Every Colonel or other Field Officer commanding a Regiment, Troop, or Company, and actually residing with it, may give Furloughs to Non-commissioned Officers and Soldiers, in such Numbers, and for so long a Time, as he shall judge to be most consistent with the Good of Our Service; but no Non-commissioned Officer or Soldier shall, by Leave of his Captain, or inferior Officer, commanding the Troop or Company, (his Field Officer not being present), be absent above Twenty Days in Six Months; nor shall more than Two private Men be absent at the same Time from their Troop or Company, unless some extraordinary Occasion shall require it, of which Occasion the Field Officer present

accustomed to wear a Livery, or not doing Duty as a Soldier.

ART. XIV.

Field Officers residing with the Regiments may grant Furloughs.

How long Time a Soldier may be absent, and by what Leave.

present with and commanding the Regiment is to be the Judge.

S E C T. V.

Returns.

ART. I.

Penalty on
Officer mak-
ing false Re-
turns.

EVERY Officer who shall knowingly make a false Return to Us, to the Commander in Chief of Our Forces, or to any his superior Officer authorised to call for such Returns, of the State of the Regiment, Troop, or Company, or Garrison, under his Command, or of Arms, Ammunition, Clothing, or other Stores thereunto belonging, shall, upon being convicted thereof before a General Court-martial, be cashiered.

ART. II.

Penalty of not
remitting a
Monthly Re-
turn to the
Commander
in Chief and
Secretary at
War,

The Commanding Officer of every Regiment, Troop, or Independent Company, or Garrison, in *South Britain*, shall, in the Beginning of every Month, transmit to the Commander in Chief of Our Forces, and to Our Secretary at War, an exact

exact Return of the State of the Regiment, Troop, Independent Company, or Garrison, under his Command, specifying the Names of the Officers not then residing at their Posts, and the Reason for, and Time of, their Absence: Whoever shall be convicted of having, designedly or through Neglect, omitted the sending such Returns, shall be punished according to the Nature of his Offence by the Judgement of a General Court-martial.

Returns shall be made in like Manner of the State of Our Forces in Our Kingdom of *Ireland* to the Chief Governor or Governors thereof, as likewise of Our Forces in *North Britain* to the Officer there commanding in Chief; which Returns shall, from Time to Time, be transmitted to Us, as it shall be best for Our Service.

It is Our Pleasure, That exact Returns of the State of Our Garrison at *Gibraltar*, and of Our Regiments, Garrisons, and Independent Companies, stationed abroad,

be,

ART. III.

The like Returns to be made in *Ireland* and *Scotland*.

ART. IV.

Returns to be made from *Gibraltar*, and Regiments stationed abroad.

be, by their respective Governors or Commanders there residing, by all convenient Opportunities, transmitted to Our Secretary at War, for their being laid before Us.

S E C T. VI.

Desertion.

ART. I.

The Penalty
of Desertion.

ALL Officers, Non-commissioned Officers, and Soldiers, in our Service, who shall be convicted of having deserted the same, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. II.

Penalty of in-
listing in other
Regiments,
without a
Discharge
from the for-
mer Regi-
ment.

Penalty on Of-
ficers enter-
taining, and
not confining
such as Deser-
ters.

No Non-commissioned Officer or Soldier shall enlist himself in any other Regiment, Troop, or Company, without a regular Discharge from the Regiment, Troop, or Company, in which he last served, on the Penalty of being reputed a Deserter, and suffering accordingly: And in case any Officer shall knowingly receive and entertain such Non-commissioned Officer or Soldier, or shall

not,

not, after his being discovered to be a Deserter, immediately confine him, and give Notice thereof to the Corps in which he last served, he the said Officer so offending shall, on being convicted thereof before a General Court-martial, be cashiered.

Non-commissioned Officers and Soldiers, who shall desert any Regiment, Troop, or Company, in which they shall have enlisted or received Pay, although of Right belonging to and liable to be claimed by another Corps, in which they may have before enlisted or received Pay, or who shall, whilst serving in such Regiment, Troop, or Company, commit any Offence against the Rules of Military Discipline, may be tried by a Court-martial, and punished for such Desertion, or other Offence, in like Manner as if they had originally and rightfully enlisted in such Regiment, Troop, or Company: Or, if any such Non-commissioned Officer or Soldier shall be claimed by the Corps in which he first enlisted, and

ART. III.

Deserters who shall enlist in another Regiment, &c.

may be punished by a Court-martial in such Regiment:

And if claimed by the Regiment in which they first enlisted, their subsequent Deser-

tions may be
given in Evi-
dence, *etc.*

and be proceeded against as a De-
serter therefrom, his subsequent De-
sertion from any one or more Corps,
in which he shall unwarrantably
have enlisted, may (unless he shall al-
ready have been tried for the same)
be given in Evidence, as an Aggra-
vation of his Crime, previous Notice
being always given to such Non-
commissioned Officer or Soldier of
the Fact or Facts intended to be
produced in Evidence against him.

ART. IV.

Soldiers ab-
senting from
their Compa-
ny, or Detach-
ment, without
Leave, to be
punished at the
Discretion of
a Court-mar-
tial.

Any Non-commissioned Officer
or Soldier, who shall, without
Leave from his Commanding Of-
ficer, absent himself from his Troop
or Company, or from any Detach-
ment with which he shall be com-
manded, shall, upon being con-
victed thereof, be punished accord-
ing to the Nature of his Offence,
at the Discretion of a General or
Regimental Court-martial.

ART. V.

The Penalty
of persuading
any one to
desert.

Whatsoever Officer, Non-com-
missioned Officer, or Soldier, shall
be convicted of having advised or
persuaded any other Officer or Sol-
dier to desert Our Service, shall
suffer

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Sen
tial

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suffer such Punishment as by the Sentence of a General Court-martial shall be awarded.

S E C T. VII.

Quarrels and sending Challenges.

NO Officer, Non-commissioned Officer, or Soldier, shall use any reproachful or provoking Speeches or Gestures to another, upon Pain, if an Officer, of being put in Arrest, (or if a Non-commissioned Officer, or a Soldier, imprisoned), and of asking Pardon of the Party offended, in the Presence of his Commanding Officer.

No Officer, Non-commissioned Officer, or Soldier, shall presume to give or send a Challenge to any other Officer, Non-commissioned Officer, or Soldier, to fight a Duel, upon Pain, if a Commissioned Officer, of being cashiered; if a Non-commissioned Officer or Soldier, of suffering corporal Punishment, at the Discretion of a Court-martial.

If

ART. I.

The Penalty of provoking Speech or Action.

ART. II.

The Penalty of sending a Challenge.

ART. III.

The Penalty if
an Officer suf-
fer any to go
out to fight a
Duel.

The Seconds
carrying Chal-
lenges shall be
reputed as
Principals.

If any Commissioned or Non-commissioned Officer commanding a Guard shall knowingly and willingly suffer any Person whatsoever to go forth to fight a Duel, he shall be punished as a Challenger: And likewise all Seconds, Promoters, and Carriers of Challenges, in order to Duels, shall be deemed as Principals, and be punished accordingly.

ART. IV.

All Officers
have Power to
part Frays.

All Officers, of what Condition soever, have Power to quell all Quarrels, Frays, and Disorders, though the Persons concerned should belong to another Regiment, Troop, or Company, and either to order Officers into Arrest, or Non-commissioned Officers or Soldiers to Prison, till their proper superior Officers shall be acquainted therewith; and whoever shall refuse to obey such Officer, (though of an inferior Rank), or shall draw his Sword upon him, shall be punished at the Discretion of a General Court-martial.

Penalty of
refusing.

ART. V.

Penalty for
upbraiding

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall
upbraid

upbraid another for refusing a Challenge, shall himself be punished as a Challenger; and We hereby acquit and discharge all Officers and Soldiers of any Disgrace, or Opinion of Disadvantage, which might arise from their having refused to accept of Challenges, as they will only have acted in Obedience to Our Orders, and done their Duty as good Soldiers, who subject themselves to Discipline.

any for refusing a Challenge.

S E C T. VIII.

Suttling.

NO Suttler shall be permitted to sell any Kind of Liquors or Victuals, or to keep their Houses or Shops open, for the Entertainment of Soldiers, after Nine at Night, or before the Beating of the Reveilles, or upon *Sundays* during Divine Service or Sermon, on the Penalty of being dismissed from all future Suttling.

ART. I.

Suttlers not to sell any Thing after Nine at Night,

or before the Reveilles, or upon *Sundays* during Divine Service.

All Officers, Non-commissioned Officers, Soldiers, and Suttlers, shall
M have

ART. II.

Liberty given for bringing

Provisions into
Garrisons, etc.

have full Liberty to bring into any of Our Forts or Garrisons, any Quantity or Species of Provisions, eatable or drinkable, except where any Contract or Contracts are or shall be entered into by Us, or by Our Order, for furnishing such Provisions, and with respect only to the Species of Provisions so contracted for.

ART. III.

Commanding
Officers are to
see the Soldiers
supplied with
Provisions at
the Market
Price.

All Governors, Lieutenant Governors, and Officers commanding in Our Forts, Barracks, or Garrisons, are hereby required to see that the Persons permitted to futtle supply the Soldiers with good and wholesome Provisions, at the Market Price, as they shall be answerable to Us for their Neglect.

ART. IV.

Penalty of ex-
acting in the
letting out of
Stalls to Sut-
tlers, or laying
a Duty on, or
being interest-
ed in, the
Goods sold
by them,

No Governors, or Officers commanding in any of Our Garrisons, Forts, or Barracks, shall either themselves exact exorbitant Prices for Houses or Stalls let out to Suttlers, or shall connive at the like Exactions in others; nor by their own Authority, and for their private Advantage, shall they lay any
Duty

Duty or Imposition upon, or be interested in, the Sale of any Victuals, Liquors, or other Necessaries of Life, or Merchandizes, brought into the Garrison, Fort, or Barracks, under their Command, for the Use of the Soldiers, on Pain (upon Conviction thereof by a General Court-martial) of being dismissed from Our Service; and suffering, besides, such Penalty as they may be liable to by Law.

And if any Governor, or Officer commanding in any of Our Garrisons, Forts, or Barracks, shall connive at any other Officer or Person selling such Victuals, Liquors, or other Necessaries of Life, or Merchandizes, to the Soldiers under his Command, at exorbitant Rates; he shall, on Conviction thereof by a General Court-martial, be cashiered, and shall besides suffer such Penalty as he may be liable to by Law.

ART. V.

or of conniving at others selling Provisions at exorbitant Rates.

S E C T. IX.

Quarters.

ART. I.

Penalty of demanding Billets for Quartering more than the Number of effective Men ;
or of Quartering Wives, Children, Men or Maid Servants ;
or taking Money for freeing of Landlords from Quartering Officers and Private Men.

NO Officer, or Non-commissioned Officer, shall demand Billets for Quartering more than his effective Men ; nor shall he quarter any Wives, Children, Men or Maid Servants, in the Houses assigned for the Quartering of Officers or Soldiers, without the Consent of the Owners ; nor shall he take Money for the freeing of Landlords from the Quartering of Officers or Soldiers, upon Pain, if a Commissioned Officer, of being cashiered ; if a Non-commissioned Officer, of being reduced to a private Centinel, and suffering such Corporal Punishment as by the Sentence of a General or Regimental Court-martial shall be awarded.

ART. II.

Commanding Officer to see the Quarters cleared weekly ;

Every Officer commanding a Regiment, Troop, Company, or Detachment, whether in settled Quarters, or upon a March, shall take Care that his own Quarters, as

also the Quarters of every Officer and Soldier under his Command, be regularly cleared at the End of every Week; but in case any such Regiment, Troop, Company, or Party, be ordered to march before Money may be come to the Hands of the Commanding Officer aforesaid, he is hereby required to see that the Accounts with all Persons who shall have Money due to them for the Quartering of Officers and Soldiers be exactly stated; and he is to sign a Certificate for each Landlord, specifying what Sum is then justly due to him, as likewise the Regiment, Troop, or Company, to which the Officers and Soldiers so indebted to him belong; and is, by the first Opportunity, to transmit Duplicates of the said Certificates to Our Paymaster General: Any Commanding Officer who shall refuse or neglect to make up such Accounts, and to certify the same, as is above directed, shall, upon being convicted thereof be-

and to give
Certificates
for Money due
in Quarters;

and remit Du-
plicates there-
of to the Pay-
master Gene-
ral;
on Penalty of
being ca-
shiered.

fore a General Court-martial, be cashiered.

ART. III.

Penalty on the
Commanding
Officer not
causing pub-
lick Notice to
be given
against credit-
ing Soldiers
beyond their
Pay.

The Commanding Officer of every Regiment, Troop, Company, or Detachment, shall, upon their first coming to any City, Town, or Village, where they are to remain in Quarters, cause publick Proclamation to be made, signifying, That, if the Landlords or other Inhabitants suffer the Non-commissioned Officers, or Soldiers, to contract Debts beyond what their daily Subsistence will answer, such Debts will not be discharged; the said Commanding Officer refusing or neglecting so to do, shall be suspended for Three Months; during which Time his whole Pay shall be applied to the discharging of such Debts as shall have been contracted by the Non-commissioned Officers or Soldiers under his Command, beyond the Amount of their daily Subsistence: If there be any Overplus remaining, it may be returned to him.

If,

If, after publick Proclamation made as above directed, the Inhabitants shall notwithstanding suffer the Non-commissioned Officers and Soldiers to contract Debts beyond what the Money issued out, or to be issued out, for their daily Subsistence will answer, it will be at their own Peril, the Officers not being obliged to discharge the said Debts.

ART. IV.

Inhabitants crediting Soldiers beyond their Pay, after publick Notice to the contrary, Officers not liable to the Debt.

Every Officer commanding in Quarters, Garrisons, or on a March, shall keep good Order, and to the utmost of his Power redress all such Abuses or Disorders as may be committed by any Officer or Soldier under his Command: If, upon Complaint made to him of Officers, Non-commissioned Officers, or Soldiers, beating or otherwise ill-treating their Landlords, or extorting more from them than they are obliged to furnish by Law; or disturbing Fairs or Markets, or committing any Kind of Riots, to the disquieting of Our People, such Commanding Officer

ART. V.

The Penalty of an Officer refuse to see Justice done, if any Person shall be abused or wronged by a Soldier.

shall refuse or omit to see Justice done on the Offender or Offenders, and Reparation made to the Party or Parties injured, as far as Part of the Offender's Pay (not exceeding the Half thereof) shall enable him to make such Reparation; he shall, upon due Proof thereof before a General Court-martial, be deemed culpable in the same Degree as if he himself had committed the Crimes or Disorders complained of, and shall be punished accordingly, at the Discretion of such Court-martial.

S E C T. X.

Carriages.

Commanding Officer is to apply for Carriages, and to pay for them according to the Act of Parliament; and not to suffer the Persons attending them to be abused;

THE Commanding Officer of every Regiment, Troop, Company, or Detachment, which shall be ordered to march, is to apply to the proper Magistrates for the necessary Carriages, and is to pay for them as is directed by the Mutiny Act; taking Care not himself

himself to beat or abuse, nor to suffer any Person under his Command to beat or abuse, the Waggoners, or other Persons attending such Carriages; nor to suffer more than or their Carriages overloaded: Thirty Hundred Weight to be loaded on any Wain or Waggon so furnished, or in proportion on Carts or Cars; nor to permit Soldiers (except such as are sick or lame), or Women, to ride upon the said Carriages: Whatsoever Officer shall offend herein, or, in case of Failure of Money, shall refuse to grant On Failure of Money, he is to grant Certificates to them. Certificates, specifying the Sums due for the Use of such Carriages, and the Name of the Regiment, Troop, or Company, in whose Service they were employed, shall be cashiered, or be otherwise punished according to the Degree of his Offence by a General Court-martial.

S E C T. XI.

Of Crimes punishable by Law.

WHenever any Officer, Non-commissioned Officer, or A R T. I. Commanding Officers are, upon Applica- Soldier,

tion, to use
their utmost
Endeavours to
deliver over to
the Civil Ma-
gistrate any
Officer, Non-
commission
Officer, or
Soldier,
accused of
Crimes pu-
nishable by the
known Laws
of the Land;

and to be aid-
ing to the Of-
ficers of Jus-
tice in secur-
ing such Of-
fender;

and upon wil-
ful Neglect or
Refusal, to be
cashed.

Soldier, shall be accused of a Ca-
pital Crime, or of having used
Violence, or committed any Of-
fence against the Persons or Pro-
perty of Our Subjects, such as is
punishable by the known Laws of
the Land, the Commanding Of-
ficer and Officers of every Regi-
ment, Troop, Company, or De-
tachment, to which the Person or
Persons so accused shall belong, are
hereby required, upon Application
duly made by or in Behalf of the
Party or Parties injured, to use his
and their utmost Endeavours to
deliver over such accused Person
or Persons to the Civil Magi-
strate; and likewise to be aiding
and assisting to the Officers of
Justice, in apprehending and se-
curing the Person or Persons so
accused, in order that he or they
may be brought to a Trial. If
any Commanding Officer or Of-
ficers shall wilfully neglect, or
shall refuse, upon the Application
aforesaid, to deliver over such
accused Person or Persons to the
Civil

Civil Magistrates, or to be aiding and assisting to the Officers of Justice in apprehending such Person or Persons, the Officer or Officers so offending shall, upon being convicted thereof before a General Court-martial, be cashiered.

No Officer shall protect any Person from his Creditors on the Pretence of his being a Soldier, nor any Non-commissioned Officer or Soldier who does not actually do all Duties as such, and no farther than is allowed by the Act of Parliament for punishing Mutiny and Desertion, and according to the true Intent and Meaning of the said Act: Any Officer offending herein, being convicted thereof before a General Court-martial, shall be cashiered.

ART. II.

The Penalty if an Officer protect any from his Creditors.

S E C T. XII.

Of Redressing Wrongs.

IF any Officer shall think himself to be wronged by his Colonel, or

ART. I.

What an Officer

must do, if
he thinks
himself
wronged.

or the Commanding Officer of the Regiment, and shall, upon due Application made to him, be refused to be redressed, he may complain to the General commanding in Chief Our Forces, in order to obtain Justice; who is hereby required to examine into such Complaint; and either by himself, or by Our Secretary at War, to make his Report to Us thereupon, in order to receive Our further Directions.

ART. II.

What an inferior Officer or Soldier must do, if he thinks himself wronged.

If any inferior Officer, Non-commissioned Officer, or Soldier, shall think himself wronged by his Captain, or other Officer commanding the Troop or Company to which he belongs, he is to complain thereof to the Commanding Officer of the Regiment, who is hereby required to summon a Regimental Court-martial, for the doing Justice to the Complainant; from which Regimental Court-martial either Party may, if he thinks himself still aggrieved, appeal to a General Court-martial:

But

But if, upon a Second Hearing, the Appeal shall appear to be vexatious and groundless, the Person so appealing shall be punished at the Discretion of the said General Court-martial.

S E C T. XIII.

Of Stores, Ammunition, &c.

WHatsoever Commissioned Officer, Storekeeper, or Commissary, shall be convicted at a General Court-martial of having sold, (without a proper Order for that Purpose), embezzled, misapplied, or wilfully, or through Neglect, suffered any of Our Provision, Forage, Arms, Clothing, Ammunition, or other Military Stores, to be spoiled or damaged, shall, at his own Charge, make good the Loss or Damage, and be dismissed from Our Service, and shall also suffer such other Penalty as he is liable to by the Mutiny Act.

ART. I.

Penalty of Officers selling Military Stores without Order; or embezzling, or misapplying them, or suffering them to be damaged by Neglect.

What-

ART. II.

The Penalty
of wasting
Ammunition
delivered out
for the Ser-
vice.

Whatsoever Non-commissioned Officer or Soldier shall be convicted at a General or Regimental Court-martial of having sold, or designedly, or through Neglect, wasted the Ammunition delivered out to him to be employed in Our Service, shall suffer corporal Punishment, at the Discretion of such Court-martial: A Non-commissioned Officer so offending, shall also be reduced to a private Centinel.

ART. III.

The Penalty
if a Soldier sell
or spoil his
Arms, etc.

Every Non-commissioned Officer or Soldier, who shall be convicted at a General or Regimental Court-martial of having sold, lost, or designedly or through Neglect spoiled, his Horse, Arms, Clothes, or Accoutrements, shall undergo such Weekly Stoppages (not exceeding the Half of his Pay) as such Court-martial shall judge sufficient for repairing the Loss or Damage; and shall besides suffer Imprisonment, or other corporal Punishment, at the Discretion of the said Court-martial.

If

ARTICLES of WAR.

41

If any Commissioned Officer shall embezzle or misapply any Monies, with which he may have been entrusted for the Payment of the Soldiers under his Command, or for inlisting Men into Our Service, or for any Regimental Purpose, and shall be thereof convicted by a General Court-martial, he shall be dismissed Our Service, and shall forfeit the Arrears due to him upon Account of his Pay, or so much thereof as may be sufficient to make good the Deficiency occasioned by such Embezzlement or Misapplication.

ART. IV.

Penalty on Officers embezzling or misapplying Regimental Money.

Every Non-commissioned Officer who shall be convicted, at a General or Regimental Court-martial, of having embezzled or misapplied any Money with which he may have been intrusted for the Payment of the Men under his Command, or for inlisting Men into Our Service, shall be reduced to serve in the Ranks as a private Soldier, be put under Stoppages until the Money be made good, and suffer such corporal Punishment

ART. V.

The Penalty if a Non-commissioned Officer embezzle, &c. the Pay of the Men under his Command, or the Inlisting Money, with which he is intrusted.

as

as the Court-martial shall think fit.

ART. VI.

The Captain
to be account-
able to his Co-
lonel for the
Arms, &c. of
his Company.

Every Captain of a Troop or Company is charged with the Arms, Accoutrements, Ammunition, Clothing, or other warlike Stores, belonging to the Troop or Company under his Command, for which he is to be accountable to his Colonel, in case of their being lost, spoiled, or damaged, not by unavoidable Accident, or on actual Service.

S E C T. XIV.

Of Duties in Quarters, in Garrison, or in the Field.

ART. I.

Officers and
private Men
are to be or-
derly in Quar-
ters, and on
their March.

ALL Officers, Non-commis-
sioned Officers, and Soldi-
ers, are to behave themselves orderly
in Quarters, and on their March;
and whoever shall commit any
Waste or Spoil, either in Walks of
Trees, Parks, Warrens, Fish-
ponds, Houses, or Gardens, Corn-
fields,

fields, Inclosures, or Meadows, or shall maliciously destroy any Property whatsoever belonging to any of Our Subjects, unless by Order of the then Commander in Chief of Our Forces, to annoy Rebels, or other Enemies in Arms against Us, he or they that shall be found guilty of offending herein, shall (besides such Penalties as they are liable to by Law) be punished according to the Nature and Degree of the Offence, by the Judgment of a General or Regimental Court-martial.

The Penalty of spoiling the Property of any Person, unless by Order to annoy the Enemy.

All Non-commissioned Officers and Soldiers, who shall be found One Mile from the Camp, without Leave, in Writing, from their Commanding Officer, shall suffer such Punishment as by the Sentence of a General or Regimental Court-martial shall be awarded.

ART. II.

The Penalty if a Soldier be found one Mile from his Camp without Leave in Writing.

No Officer, Non-commissioned Officer, or Soldier, shall lie out of his Quarters, Garrison, or Camp, without Leave from his superior Officer, upon Pain of

ART. III.

The Penalty of lying all Night out of Camp or Quarters.

N being

being punished, according to the Circumstances and Degree of his Offence, by the Sentence of a General or Regimental Court-martial.

ART. IV.

The Penalty if a Soldier do not retire to his Quarters at the Beating of the Retreat.

Every Non-commissioned Officer and Soldier shall retire to his Quarters or Tent at the Beating of the Retreat; in Default of which he shall in like Manner be punished according to the Circumstances and Degree of his Offence.

ART. V.

The Penalty if a Soldier does not repair at the Time fixed to the Parade of Exercise, or other Rendezvous;

or of quitting his Guard, *etc.* without being dismissed or relieved.

No Officer, Non-commissioned Officer, or Soldier, shall fail to repair, at the Time fixed, to the Place of Parade of Exercise, or other Rendezvous appointed by the Commanding Officer, if not prevented by Sickness, or some other evident Necessity; or shall go from the said Place of Rendezvous, or from his Guard, without Leave from his Commanding Officer, before he shall be regularly dismissed or relieved, on the Penalty of being punished, according to the Circumstances and Degree of his Offence, by the Judgement of a General or Regimental Court-martial.

No Soldier belonging to any of Our Regiments of Life Guards, Horse Guards, or Foot Guards, or to any other Regiment of Horse, Foot, or Dragoons, in Our Service, shall hire another to do his Duty for him, or be excused from Duty, but in case of Sickness, Disability, or Leave of Absence; and every such Soldier found guilty of hiring his Duty, as also the Party so hiring to do another's Duty, shall be punished at the Discretion of a Regimental Court Martial.

ART. VI.

The Penalty of a Soldier hiring, and of the Party doing his Duty.

And every Non-commissioned Officer conniving at such Hiring of Duty, as aforesaid, shall be reduced for it; and every Commissioned Officer, knowing and allowing of such ill Practices in Our Service, shall be punished by the Judgement of a General Court-martial.

ART. VII.

The Penalty of an Officer's conniving at the Hiring of Duty.

Any Officer, Non-commissioned Officer, or Soldier, who shall, without urgent Necessity, or without Leave of his superior Officer, quit his Platoon or Division, shall be punished according

ART. VIII.

The Penalty if an Officer or Soldier shall quit his Platoon or Division.

to the Circumstances and Degree of his Offence by the Judgement of a General or Regimental Court-martial.

ART. IX.

The Penalty of Drunkenness.

Whatsoever Commissioned Officer shall be found drunk on his Guard, Party, or other Duty, under Arms, shall, upon being convicted thereof before a General Court-martial, be cashiered for it; any Non-commissioned Officer or Soldier, so offending, shall suffer such corporal Punishment as by a General or Regimental Court-martial shall be awarded.

ART. X.

Penalty if a Centinel be found sleeping on his Post, or of quitting it before he is relieved.

Whatever Centinel shall be found sleeping upon his Post, or shall leave it before he shall be regularly relieved, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. XI.

The Penalty of doing Violence to any who bring Provisions to the Camp or Quarters.

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall do Violence to any Person who brings Provisions, or other Necessaries, to the Camp, Garrison, or Quarters, of Our Forces employed in Foreign Parts, and shall be

be convicted thereof by a General Court-martial, shall suffer Death.

Whosoever of Our Forces employed in Foreign Parts shall force a Safeguard, and shall be convicted thereof by a General Court-martial, shall suffer Death.

ART. XII.

The Penalty
of forcing a
Safeguard.

Any Person belonging to Our Forces employed in Foreign Parts, who shall make known the Watch-word to any Person who is not intitled to receive it according to the Rules and Discipline of War, or shall presume to give a Parole or Watchword different from what he received, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded:

ART. XIII.

The Penalty
of making
known the
Watch-word,

or giving a
false one.

And whosoever shall be found guilty of such Offence in *Great Britain, Ireland, Jersey, Guernsey, Alderney, Sark, or Man*, shall be punished at the Discretion of a General Court-martial.

Any Person belonging to Our Forces employed in any of Our Dominions beyond the Seas, or in Foreign Parts, who, by dis-

ART. XIV.

The Penalty of
making false
Alarms, in
Camp or Quar-
ters.

charging Fire Arms, drawing of Swords, beating of Drums, or by any other Means whatever shall occasion false Alarms, in Camp, Garrison, or Quarters, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded :

And whosoever shall be found guilty of the said Offence in *Great Britain, or Ireland, Jersey, Guernsey, Alderney, Sark, or Man*, shall be punished at the Discretion of a General Court-martial.

ART. XV.


The Penalty of holding Correspondence with, or giving Intelligence to, the Enemy.

Whosoever shall be convicted of holding Correspondence with, or giving Intelligence to, the Enemy, either directly or indirectly, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. XVI.


The Penalty of relieving or harbouring an Enemy.

Whosoever shall relieve the Enemy with Money, Victuals, or Ammunition, or shall knowingly harbour or protect an Enemy, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

All

All Publick Stores taken in the Enemy's Camp, Towns, Forts, or Magazines, whether of Artillery, Ammunition, Clothing, Forage, or Provisions, shall be secured for Our Service; for the Neglect of which Our Commanders in Chief are to be answerable.

ART. XVII.

Publick Stores
to be secured
for His Majesty's
Service.

If any Officer, Non-commissioned Officer, or Soldier, shall leave his Commanding Officer, or his Post or Colours, to go in Search of Plunder, he shall, upon being convicted thereof, suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. XVIII.

The Penalty
of going in
Search of
Plunder.

Any Person belonging to Our Forces employed in Foreign Parts, who shall cast away his Arms or Ammunition, shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded:

ART. XIX.

The Penalty
of casting a-
way Arms or
Ammunition.

And whosoever shall be found guilty of such Offence in *Great Britain, Ireland, Jersey, Guernsey, Alderney, Sark, or Man*, shall be

N 4 punished

punished at the Discretion of a General Court-martial.

ART. XX.

The Penalty
of misbehav-
ing before the
Enemy, abandon-
ing Garrisons, &c.

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall misbehave himself before the Enemy, or shall shamefully abandon or deliver up any Garrison, Fortrefs, Post, or Guard, committed to his Charge, or which he shall be commanded to defend; shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

ART. XXI.

The Penalty
of compelling
others to mis-
behave before
the Enemy,
abandon Gar-
risons, &c.

Whatsoever Officer, Non-commissioned Officer, or Soldier, shall compel the Governor, or Commanding Officer of any Garrison, Fortrefs, Post, or Guard, to deliver up to the Enemy or to abandon the same, or shall speak Words, or use any other Means to induce such Governor, Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortrefs, Post, or Guard, committed to their respective Charge, or which he or they shall be commanded to defend;

defend; shall suffer Death, or such other Punishment as by a General Court-martial shall be awarded.

S E C T. XV.

R A N K.

OFFICERS having Brevets, or Commissions of a prior Date to those of the Regiment in which they now serve, may take Place in Courts-martial, and on Detachments, when composed of different Corps, according to the Rank given them in their Brevets, or Dates of their former Commissions; but in the Regiment, Troop, or Company, to which such Brevet Officers, and those who have Commissions of a prior Date, do belong, they shall do Duty, and take Rank, both on Courts-martial and on Detachments which shall be composed only of their own Corps, according to the Commissions by which they are mustered in the said Corps.

ART. I.

Brevets.

If

ART. II.

The eldest Officer is to command when any Troops of the Horse Guards and the Regiment of Horse Guards shall do Duty together;

If upon Marches, Guards, or in Quarters, any of Our Regiments of Life Guards, or Regiment of Horse Guards, shall happen to join or do Duty together, the eldest Officer by Commission there, on Duty or in Quarters, shall command the Whole, and give out Orders for what is needful to Our Service; Regard being always had to the respective Ranks of those Corps, and the Posts they usually occupy.

ART. III.

or when any of the Life Guards, Horse or Foot Guards shall do Duty with any other Corps.

And in like Manner also, if any Regiments, Troops, or Detachments of Our Life Guards, Horse Guards, or Foot Guards, shall happen to march with or be encamped or quartered with any Bodies or Detachments of Our other Troops, the eldest Officer, without respect to Corps, shall take upon him the Command of the Whole, and give the necessary Orders to Our Service.

ART. IV.

The Regiments of Life Guards, doing

Whenever Our Regiments of Life Guards, or Detachments from the same, shall do Duty together, unmixed

unmixed with other Corps, they are to be considered as one Corps, and the Officers are to take Rank and do Duty according to the Commissions by which they shall be mustered.

Duty unmixed, to be considered as One Corps; and the Officers to take Rank, &c. as they are mustered.

And when Our Regiments of Foot Guards, or Detachments from Our said Regiments, shall do Duty together, unmixed with other Corps, they shall be considered as One Corps, and the Officers shall take Rank and do Duty according to the Commissions by which they are mustered.

ART. V.

The Foot Guards doing Duty unmixed, to be considered as One Corps; and the Officers to take Rank, &c. as they are mustered.

S E C T. XVI.

Administration of Justice.

A General Court-martial in Our Kingdoms of *Great Britain*, or *Ireland*, shall not consist of less than Thirteen Commissioned Officers; and the President of such Court-martial shall not be the Commander in Chief, or Governor of

ART. I.

General Court-martial in *Great Britain* or *Ireland*.

of the Garrison, where the Offender shall be tried, nor be under the Degree of a Field Officer.

ART. II.

General
Court-martial
in *Gibraltar*,
Africa, *New*
South Wales, or
other Places
beyond the
Seas.

A General Court-martial held in our Garrison of *Gibraltar*, or in any other Place beyond the Seas, shall not consist of less than Thirteen Commissioned Officers, except the same shall be holden in *Africa*, or in *New South Wales*, in which Places a General Court-martial may consist of any Number of Commissioned Officers not less than Five; and the President shall not be under the Degree of a Field Officer, unless where a Field Officer cannot be had; nor shall in any Case whatever be the Commander in Chief, or Governor of the Garrison, where the Offender shall be tried, nor under the Degree of a Captain.

ART. III.

These Articles
relate to the
Life Guards,
Horse Guards,
and Foot
Guards, as
well as to
other Forces.

Whereas these Our Rules and Articles are to be observed by, and do in all Respects regard Our Regiments of Life Guards, Horse Guards, and Foot Guards, as well as Our other Forces: Now, for
pre-

preventing Disputes which may arise between Officers of Our Life Guards and Horse Guards, and also between Officers of Our Life Guards or Horse Guards, and Officers of Our Foot Guards, in relation to their holding of Courts Martial, and upon other Points of Duty; it is hereby declared to be Our Will and Pleasure, That when any Officer or Soldier belonging to Our said Regiments of Life Guards or Regiment of Horse Guards, shall happen to be brought before a General Court Martial for Differences arising purely among themselves, or for Crimes relating to Discipline, or Breach of Orders, such Courts Martial shall be composed of Officers serving in any or all of those Corps of Life Guards and Horse Guards (as they may then happen to lie for their being most conveniently assembled) where the Officers are to take post according to the Dates and Degrees of Rank granted them in their respective Commissions, without Regard to the Seniority

Rules relating to Courts-martial, in Cases where the Life Guards and Horse Guards are concerned.

niority of Corps, or other formerly pretended Privileges.

ART. IV.

Rules relating
to Courts-
martial where
the Foot
Guards are
concerned.

In like Manner also the Officers of Our Three Regiments of Foot Guards, for Differences arising purely among themselves, or for Crimes relating to Discipline or Breach of Orders, shall of themselves compose Courts-martial, and take Rank according to their Commissions; but for all Disputes or Differences which may happen between Officers or Soldiers belonging to Our said Corps of Life Guards or Horse Guards, and Officers or Soldiers belonging to Our Regiments of Foot Guards, or between any Officers or Soldiers belonging to either of those Corps of Life Guards, Horse Guards, or Foot Guards, and Officers or Soldiers of any other of Our Forces, or among Officers or Soldiers of Our other Troops, but belonging to different Corps, the Courts Martial to be appointed in such Cases shall be equally composed of Officers belonging to the Corps in which

which the Parties complaining and complained of do then serve, and the President shall be taken by Turns as nearly as Our Service will, with Convenience, admit, beginning first by an Officer of One of Our Regiments of Life Guards; and so on in Course out of the other Corps, according to the Seniority in Rank of such Corps respectively.

The Members both of General and Regimental Courts-martial shall, when belonging to different Corps, take the same Rank which they hold in the Army; but when Courts-martial shall be composed of Officers of one Corps, they shall take their Ranks according to the Dates of the Commissions by which they are mustered in the said Corps.

ART. V.

Members of Courts-martial are to take the same Rank at their Sitings as they hold in the Army.

Exception.

The Judge-advocate General, or some Person deputed by him, shall prosecute in Our Name; and in all Trials of Offenders by General Courts-martial, administer

ART. VI.

Judge-advocate is to inform and prosecute.

ster to each Member the following Oaths :

The Oaths to be administered to the Members of all General Courts-martial.

YOU shall well and truly try and determine, according to your Evidence, the Matter now before you.

So help you GOD.

I A.B. do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act of Parliament now in Force for the Punishment of Mutiny and Desertion, and of other Crimes therein mentioned, without Partiality, Favour, or Affection; and if any Doubt shall arise, which is not explained by the said Articles or Act of Parliament, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases. And I do further swear, That I will not divulge the Sentence of the Court, until it shall be approved of by His Majesty, or by
some

some Person duly authorised by Him; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice, in a due Course of Law.

So help me GOD.

And as soon as the said Oath shall have been administered to the respective Members, the President of the Court shall administer to the Judge-advocate, or Person officiating as such, an Oath, in the following Words :

The Judge-advocate to be sworn.

I A. B. do swear, That I will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice, in a due Course of Law.

The Oath.

So help me GOD.

O

ART. VII.

Decency to be observed in Courts; and the youngest to give his Vote first.

All the Members of a Court-martial are to behave with Decency; and in the giving of their Votes, are to begin with the youngest.

ART. VIII.

Rules to be observed in the Proceedings of a General Court-martial.

All Persons who give Evidence before a General Court-martial are to be examined upon Oath; and no Sentence of Death shall be given against any Offender by any General Court-martial, (except the same shall be holden in *Africa*, or in *New South Wales*), unless Nine Officers present shall concur therein; nor shall such Sentence be given in any Case, where a Court-martial shall consist of more Officers than Thirteen, nor in *Africa* or *New South Wales*, when a Court-martial shall consist of a lesser Number of Officers, without the Concurrence of Two Thirds at the least of the Officers present.

ART. IX.

Rules to be observed in the Trial of Field Officers.

No Field Officer shall be tried by any Person under the Degree of a Captain; nor shall any Proceedings or Trials be carried on excepting

cepting between the Hours of Hours of Trial.
 Eight in the Morning and Three
 in the Afternoon, except in Cases
 which require an immediate Ex-
 ample.

No Sentence of a General Court-
 martial shall be put in Execution
 till after a Report shall have been
 made of the whole Proceedings to
 Us, or to the Officer commanding
 in Chief, or some other Person duly
 authorized by Us under Our Sign
 Manual to confirm the same, and
 Our or his Directions shall have
 been signified thereupon; except-
 ing in *Ireland*, where the Report is
 to be made to the Lord Lieutenant,
 or to Our Chief Governor or Go-
 vernors of that Kingdom, and his
 or their Directions are to be re-
 ceived thereupon.

ART. X.

Rules to be
 observed be-
 fore Execution
 of the Sen-
 tence of a Ge-
 neral Court-
 martial.

The Commissioned Officers of
 every Regiment may, by the Ap-
 pointment of their Colonel or Com-
 manding Officer, hold Regimental
 Courts-martial for the enquiring
 into such Disputes, or Criminal

ART. XI.

Every Regi-
 ment may hold
 a Regimental
 Court-martial
 for Trial of
 lesser Offences.

Matters, as may come before them, and for the inflicting corporal Punishments for small Offences, and shall give Judgement by the Majority of Voices ; but no Sentence shall be executed till the Commanding Officer (not being a Member of the Court-martial), or the Governor of the Garrison, shall have confirmed the same.

ART. XII.

Rules to be observed in Regimental Courts-martial.

No Regimental Court-martial shall consist of less than Five Officers, excepting in Cases where that Number cannot be conveniently assembled, when Three may be sufficient ; who are likewise to determine upon the Sentence by the Majority of Voices ; which Sentence is to be confirmed by the Commanding Officer, not being a Member of the Court-martial, before it be carried into Execution.

ART. XIII.

Officers commanding in Forts, or Barracks, may appoint Regi-

Every Governor or Commander of a Garrison, when he shall judge it to be most conducive to the Good of Our Service ; and every Officer

Officer commanding any of Our Forts, Castles, or Barracks, where the Corps under his Command shall consist of Detachments from different Regiments, or Independent Companies, and where the Number of Officers of the same Corps is not sufficient to form a Regimental Court-martial, may assemble Courts-martial composed of Officers of distinct Corps, and such Courts-martial shall have the like Powers, and proceed in the like Manner as Regimental Courts-martial, and their Sentence shall not be executed until it shall be confirmed by such Governor or Commanding Officer.

mental
Courts-mar-
tial.

No Commissioned Officer shall be cashiered or dismissed from Our Service, excepting by an Order from Us, or by the Sentence of a General Court-martial, approved by Us, or by some Person having Authority from Us, under Our Sign Manual; but Non-commissioned Officers may be discharged as

ART. XIV.

No Commissioned Officer may be cashiered, but by Order of His Majesty, or by a General Court-martial.

private Soldiers, and, by the Order of the Colonel of the Regiment, or by the Sentence of a Regimental Court-martial, be reduced to private Centinels.

ART. XV.

The Penalty of menacing Words, Gestures, or Disturbances, before a Court-martial.

No Person whatsoever shall use menacing Words, Signs, or Gestures, in the Presence of a Court-martial then sitting, or shall cause any Disorder or Riot, so as to disturb their Proceedings, on the Penalty of being punished at the Discretion of the said Court-martial.

ART. XVI.

How a Commanding Officer is to proceed when an Officer is put in Arrest, or Soldier committed to Custody.

To the End that Offenders may be brought to Justice, We hereby direct, That whenever any Officer or Soldier shall commit a Crime deserving Punishment, he shall, by his Commanding Officer, if an Officer, be put in Arrest; if a Non-commissioned Officer or Soldier, be imprisoned till he shall be either tried by a Court-martial, or shall be lawfully discharged by a proper Authority.

ART. XVII.

No Officer or Soldier, who shall be put in Arrest or Imprisonment, shall

shall continue in his Confinement more than Eight Days, or till such Time as a Court-martial can be conveniently assembled.

The Time limited for Confinement.

No Officer commanding a Guard, or Provost-martial, shall refuse to receive, or keep, any Prisoner committed to his Charge by any Officer belonging to Our Forces; which Officer shall, at the same Time, deliver an Account in Writing, signed by himself, of the Crime with which the said Prisoner is charged.

ART. XVIII.

Officer of the Guard, or Provost-martial, to receive Prisoners.

No Officer commanding a Guard, or Provost-martial, shall presume to release any Prisoner committed to his Charge, without proper Authority for so doing; nor shall he suffer any Prisoner to escape, on the Penalty of being punished for it by the Sentence of a Court-martial.

ART. XIX.

The Penalty if an Officer, or Provost-martial, release a Prisoner without Orders.

Every Officer or Provost-martial, to whose Charge Prisoners shall be committed, is hereby required, within Twenty-four Hours after

ART. XX.

Prisoners Names and Crimes to be returned within 24 Hours.

such Commitment, or as soon as he shall be relieved from his Guard, to give in Writing to the Colonel or Commanding Officer of the Regiment to which the Prisoner belongs, (where the Prisoner is confined upon the Guard belonging to the said Regiment, and that his Offence only relates to the Neglect of Duty in his own Corps), or to the Commander in Chief, their Names, their Crimes, and the Names of the Officers who committed them, on the Penalty of being punished for his Disobedience or Neglect at the Discretion of a Court-martial.

ART. XXI.

The Penalty
if an Officer
break his
Arrest.

And if any Officer under Arrest shall leave his Confinement before he is set at Liberty by the Officer who confined him, or by a superior Power, he shall, upon being convicted thereof before a General Court-martial, be cashiered.

ART. XXII.

Officers con-
victed of ill

Whatsoever Commissioned Officer shall be convicted before a General

General Court-martial of behaving in a scandalous infamous Manner, such as is unbecoming the Character of an Officer and a Gentleman, shall be discharged from Our Service. Provided, however, that in every Charge preferred against an Officer for such scandalous or unbecoming Behaviour, the Facts or Fact whereon the same is grounded, shall be clearly specified.

Behaviour to
be cashiered.

S E C T. XVII.

Accounts.

EVERY Paymaster of a Regiment, Troop, or Company, shall make out and transmit to the Agent of such Regiment, Troop, or Company, an Account, every Two Months, of the exact Subsistence actually paid to the Effective Officers and Men, and of the broken Periods arising from Deaths, Desertions, or Discharges of Men, in the Course of the said Two

ART. I.

Certain Accounts to be made out by every Paymaster of a Regiment, &c. and transmitted to the Agent.

Two Months: And on the Twenty-fourth Day of *June*, and Twenty-fourth Day of *December*, in every Year, shall make up, and within Three Months from each of the said Periods, transmit to the Agent the following Accounts; that is to say, An Account of all the Expences which have attended the Recruiting Service for the preceding Six Months, distinguishing the Subsistence of Recruits, Levy Money, and every other Article of Expence, under their several Heads; an Account of the Poundage paid to the Effective Men in the preceding Six Months; an Account of the Allowances made for the extra Price of Bread while in Barracks, the preceding Six Months; an Account of the Expences which have attended the Marches of such Regiment, Troop, or Company, from One Part of *Great Britain* to another; an Account of the Monies paid for the preceding Six Months, usually called *Grass Money*;

ney; an Account of Hospital Expences, travelling Expences of Officers and Horses, before they join the Troop or Regiment; and all other lesser Contingencies which are now allowed, or which We shall by any future Regulations, under Our Royal Sign Manual, direct to be allowed for the preceding Six Months, under their several Heads; the said respective Accounts to be examined and certified by the Commanding Officer of each respective Corps, who is hereby required to examine, and if found to be just, to certify the same; and on Failure herein, the Paymaster through whose Neglect the said respective Accounts shall not be transmitted, as aforesaid, shall be liable to a Trial for such Neglect by a General Court-martial; and if convicted, shall be cashiered, or shall suffer such other Punishment as by such Court-martial shall be awarded; and the Commanding Officer of the Regiment, Troop,
or

Which Accounts are to be examined and certified by the Commanding Officer.

Penalty on Paymaster for Neglect.

or Company, in which such Neglect shall have been committed, is hereby directed and required to make a Report thereof to his Colonel, if in *Great Britain*, who shall report the same to the Commander in Chief of Our Forces, or to Our Secretary at War, in order that the Officers offending may be brought to a Trial for the same.

ART. II.

Recruiting
Officers, every
Two Months,
to make up
Abstracts of
the new Re-
cruits,

which shall be
transmitted to
the Adjutant
General, and
to the respec-
tive Agents.

Every Officer employed in the recruiting of any Regiment, Troop, or Company, of Our Land Forces, shall, every Two Months, make up an Abstract of the Numbers recruited during the Two preceding Months, to be examined and certified by his Commanding Officer, if resident in *Great Britain*, (who is hereby required to examine, and if found to be just, to certify the same); and shall transmit such Abstract, when certified, to the Adjutant General of Our Forces; and shall also transmit a Copy of such certified Abstract, together with

with a regular and exact Account of the Expences which have attended the said Service during the Two preceding Months, to the Agent of the Corps for which such Officer is recruiting; and on Failure herein, the Officer, through whose Neglect such Abstract and Account, or a Copy thereof, shall not have been transmitted to the Adjutant General, and to the Agent of the Corps respectively, shall be liable to be tried for such Neglect by a Penalty on Neglect. General Court-martial, and if convicted, shall be cashiered, or shall suffer such other Punishment as by such Court-martial shall be awarded: And the Commanding Officer of the Regiment, Troop, or Company, in which such Neglect shall have been committed, is hereby directed and required to make a Report thereof to his Colonel, if in *Great Britain*, who shall report the same to the Commander in Chief of Our Forces, or to Our Secretary at War, in order that the
Officer

Officer so neglecting may be brought to Trial for the same.

S E C T. XVIII.

Entry of Commissions, and Leaves of Absence.

All Commissions to be entered,

ALL Commissions and Leaves of Absence granted by Us, or by any of Our Generals having Authority from Us, shall be entered in the Books of Our Secretary at War, and Commissary-general, otherwise they will not be allowed of at the Musters.

S E C T. XIX.

Effects of the Dead.

ART. I.
The Major to take Care of an Officer's Effects when he dies;

WHEN any Commissioned Officer shall happen to die, or be killed in Our Service, the Major of the Regiment, or the Officer

Officer doing the Major's Duty in his Absence, shall immediately secure all his Effects or Equipage then in Camp or Quarters; and shall before the next Regimental Court-martial make an Inventory thereof, and forthwith transmit the same to the Office of Our Secretary at War, to the End that the Executors of such Officer may, after Payment of his Regimental Debts and Quarters, and Interment, receive the Overplus, if any be, to his or their Use.

When any Non-commissioned Officer or private Soldier shall happen to die, or be killed in Our Service, the then commanding Officer of the Troop or Company shall, in the Presence of Two other Commissioned Officers, take an Account of whatever Effects he dies possessed of, above his Regimental Clothing, Arms, and Accoutrements, and transmit the same to the Office of Our Secretary at War; which said Effects are to be accounted for, and

ART. II.

and the Commanding Officer of any private Man's Effects.

paid to the Representative of such deceased Non-commissioned Officer or Soldier: And in case any of the Officers, so authorised to take Care of the Effects of dead Officers and Soldiers, should, before they have accounted to their Representatives for the same, have Occasion to leave the Regiment, by Preferment, or otherwise, they shall, before they be permitted to quit the same, deposit in the Hand of the Commanding Officer, or of the Agent of the Regiment, all the Effects of such deceased Non-commissioned Officers and Soldiers, in order that the same may be secured for, and paid to, their respective Representatives.

S E C T. XX.

Artillery.

ART. I.

These Rules
to be observed
by the Officers

ALL Officers, Conductors, Gunners, Matrosses, Drivers, or any other Persons whatsoever

ever receiving Pay or Hire in the Service of Our Artillery, shall be governed by the aforesaid Rules and Articles, and shall be subject to be tried by Courts-martial, in like Manner with the Officers and Soldiers of Our other Troops.

and others of
the Trains of
Artillery.

For Differences arising amongst themselves, or in Matters relating solely to their own Corps, the Courts-martial may be composed of their own Officers; but where a Number sufficient of such Officers cannot be assembled, or in Matters wherein other Corps are interested, the Officers of Artillery shall sit in Courts-martial with the Officers of Our other Corps, taking Rank according to the Dates of their respective Commissions, and no otherwise.

ART. II.

Courts-martial
to be held by
them.

S E C T. XXI.

American Troops.

THE Officers, Non-commis-
sioned Officers, and Soldi-
ers, of any Troops which are or
P shall

ART. I.

Troops raised
in *America*,
when acting

in Conjunction
with *British*
Forces, to be
governed by
these Articles.

shall be raised in *America*, being mustered and in Pay, shall, at all Times, and in all Places, when joined, or acting in Conjunction with Our *British* Forces, be governed by these Rules or Articles of War, and shall be subject to be tried by Courts-martial in like Manner with the Officers and Soldiers of Our *British* Troops.

ART. II.

Provincial Generals and Colonels, when employed on Detachments, Courts-martial, or other Duty, in Conjunction with the Regular Forces, are to take Rank next after all Colonels having the King's Commission;

Whereas, notwithstanding the Regulations which We were pleased to make for settling the Rank of Provincial General and Field Officers in *North America*, Difficulties have arisen with regard to the Rank of the said Officers when acting in Conjunction with Our Regular Forces; and We being willing to give due Encouragement to Officers serving in Our Provincial Troops, it is Our Will and Pleasure, That for the future, all General Officers and Colonels serving by Commission from any of the Governors, Lieutenant or Deputy Governors, or Presidents of the

Council

Council for the Time being, of Our Provinces and Colonies in *North America*, shall, on all Detachments, Courts-martial, or other Duty, wherein they may be employed in Conjunction with Our Regular Forces, take Rank next after all Colonels serving by Commissions signed by Us, or by Our General commanding in Chief in *North America*, though the Commissions of such Provincial Generals and Colonels should be of elder Date :

And, in like Manner, that Lieutenant Colonels, Majors, Captains, and other inferior Officers, serving by Commission from the Governors, Lieutenant or Deputy Governors, or Presidents of the Council for the Time being of Our said Provinces and Colonies in *North America*, shall, on all Detachments, Courts-martial, or other Duty, wherein they may be employed in Conjunction with Our Regular Forces, have Rank next after all Officers of the like Rank serving by

and, in like Manner, the Lieutenant Colonels, Majors, Captains, &c. in the Provincial Troops, are to take Rank next after all Officers of like Rank in the Regular Forces.

Commissions signed by Us, or by Our General commanding in Chief in *North America*, though the Commissions of such Lieutenant Colonels, Majors, Captains, and other inferior Officers, should be of elder Date to those of the like Rank signed by Us, or by Our said General.

S E C T. XXII.

Troops in the East Indies.

ART. I.

Officers of Forces employed in the *East Indies* may sit with Officers in the Company's Service at Courts-martial, &c.

WHENEVER any of Our Forces shall be employed in the *East Indies*, they may, as often as it shall be judged necessary, be associated with Officers in the Service of the United Company of Merchants trading to the *East Indies*, to sit in Conjunction at Courts-martial; and may proceed to the Trial of any Officer, Non-commissioned Officer, or Soldier, in like Manner as if such Courts-martial were composed of Officers of

of Our Forces, or of Officers in the Service of the said United Company, only: With this Distinction; that, upon the Trial of any Officer or Soldier of Our Forces, regard shall be had to the Regulations and Provisions contained in the Act for punishing Mutiny and Desertion, and the Rules and Articles of War made by Us for the Government of all Our Forces; and the Oaths administered to the several Members of the Court-martial shall be in the Terms therein prescribed: And upon the Trial of any Officer or Soldier in the Service of the said United Company, regard shall be had to the Regulations and Provisions made by or in pursuance of an Act passed in the Twenty-seventh Year of the Reign of Our late Royal Grandfather, intituled, *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants trading to the East Indies, and for*

the Punishment of Offences committed in the East Indies, or at the Island of Saint Helena ; and the Oaths administered to the several Members of the Court-martial shall be in the Terms prescribed by the same Act.

ART. II.

Officers having the King's Commission are to have Precedence of Officers of equal Rank in the Company's Service.

Whenever any of Our Forces shall be employed in the *East Indies*, the Officers of Our Forces so employed are, upon all Detachments, at Courts-martial, and upon any other Duty, wherein they may be joined with Officers in the Service of the United Company of Merchants trading to the *East Indies*, to command and have Precedence of Officers of equal Rank in the Service of the said United Company, although the Commissions of the said United Company's Officers should be of elder Date.

S E C T.

S E C T. XXIII.

Relating to the foregoing Articles.

NO Officer, Non-commissioned Officer, or Soldier, shall be adjudged to suffer any Punishment extending to Life or Limb by virtue of these Our Rules and Articles, within Our Kingdoms of *Great Britain* or *Ireland*, *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereunto belonging, except for such Crimes as are herein expressly declared to be so punishable within the same:

But all Crimes not capital, and all Disorders and Neglects, which Officers and Soldiers may be guilty of to the Prejudice of good Order and Military Discipline, though not specified in the said Rules and Articles, are to be taken Cognizance of by a General or Regimental Court-martial, according to

ART. I.

No Officer or Soldier to be punished with Loss of Life or Limb, except in the Cases so expressed in these Articles;

ART. II.

But a Court-martial may take Cognizance of Offences not capital, though not mentioned therein.

to the Nature and Degree of the Offence, and to be punished at their Discretion.

ART. III.

Suttlers and Retainers to the Camp to be subject to Military Orders.

All Suttlers and Retainers to a Camp, and all Persons whatsoever serving with Our Armies in the Field, though no enlisted Soldiers, are to be subject to Orders, according to the Rules and Discipline of War.

ART. IV.

Courts-martial may punish Criminals in Places beyond the Seas, where there is no Civil Judicature in Force, for Offences not punishable by these Articles.

Notwithstanding its being directed, in the Eleventh Section of these Our Rules and Articles, that every Commanding Officer shall deliver up to the Civil Magistrate all Persons under his Command who shall be accused of any Crimes which are punishable by the known Laws of the Land; yet in Our Garrison of *Gibraltar*, or in any other Place beyond the Seas, where Our Forces now are or may be employed, and where there is no Form of Our Civil Judicature in Force, the General, Governor, or other Officer commanding in Chief for the Time being, is to appoint
General

General Courts-martial as Occasion may require, for the Trial of any such Persons under his Command, accused of wilful Murder, Theft, Robbery, Rape, Coining or Clipping the Coin of *Great Britain*, or any Foreign Coin current in the Garrison or Place under his Command, or of having used Violence or committed any Offence against the Persons or Property of any of Our Subjects, or of any others entitled to Our Protection: And the Persons so accused, if found guilty, shall suffer Death, or such other Punishment, according to the Nature and Degree of their respective Offences, as by the Sentence of any such General Court-martial shall be awarded.

All these Our Rules and Articles are to be read and published Once in every Two Months, at the Head of every Regiment, Troop, or Company, mustered, or to be mustered, in Our Service; and are to be duly observed and exactly obeyed

ART. V.

These Articles
to be read
Once in every
Two Months.

ARTICLES of WAR.

obeyed by all Officers and Soldiers who are or shall be in Our Service; excepting in what relates to the Payment of Soldiers Quarters, and to Carriages; which is, in Our Kingdom of *Ireland*, to be regulated by the Lord Lieutenant or Chief Governor or Governors thereof, and in Our Islands, Provinces, and Garrisons beyond the Seas, by the respective Governors of the same, according as the different Circumstances of the said Kingdom, Islands, Provinces, or Garrisons, may require.



G. R.

I N D E X.

		Page
SECT. I.	<i>Divine Worship</i>	3
II.	<i>Mutiny</i>	6
• III.	<i>Inlistng Soldiers</i>	8
IV.	<i>Musters</i>	10
V.	<i>Returns</i>	20
VI.	<i>Desertion</i>	22
VII.	<i>Quarrels and sending Challenges</i>	25
VIII.	<i>Suttling</i>	27
IX.	<i>Quarters</i>	30
X.	<i>Carriages</i>	34
XI.	<i>Crimes punishable by Law</i>	35
XII.	<i>Redressing Wrongs</i>	37
XIII.	<i>Stores, Ammunition, &c.</i>	39
XIV.	<i>Duties in Quarters, in Gar- rison, or in the Field</i>	} 42
XV.	<i>Rank</i>	51
XVI.	<i>Administration of Justice</i>	53
XVII.	<i>Accounts</i>	67
XVIII.	<i>Entry of Commissions, and Leaves of Absence</i>	} 72
XIX.	<i>Effects of the Dead</i>	ibid.
XX.	<i>Artillery</i>	74
XXI.	<i>American Troops</i>	75
XXII.	<i>Troops in the East Indies</i>	78
XXIII.	<i>Relating to the foregoing Ar- ticles - - -</i>	} 81

F I N I S.

I M D E K

1
2
3
4
5
6
7
8
9
10
11
12

C

1

1

